

TPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 016912-0208

In re patent application of

Masaki KOBAYASHI

Serial No.: 10/809,469



JUN 27 2005

Filed: March 26, 2004

Group Art Unit: 1742

For: COMPOSITIONALLY GRADED SINTERED ALLOY AND METHOD OF
PRODUCING THE SAME

Examiner: Ngoclan Thi Mai

**RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated May 26, 2005, Applicant hereby elects the claims of Group I, claims 1-9, for prosecution in the subject application.

Further, in reply to the Election of Species Requirement, Applicant hereby elects species a) Cr. Claims 1,2 and 5-9 are readable thereon, and the PTO has indicated that claims 1, and 5-9 are generic.

Upon allowance of the elected claims, Applicants will be permitted to request rejoinder in accordance with MPEP 821.04 and *In re Ochiai*, 71 F.3d 1565, 37 USPQ2d 1127 (Fed.Cir. 1995) of method claim 10. Applicant, of course, reserves the right to file a divisional application covering the subject matter of any non-elected subject matter.

Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Date: June 27, 2005

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